

PATRICIA BARBOSA (SBN 125865)
SARA P. KUNKEL (SBN 260240)
BARBOSA, METZ & HARRISON, LLP
139 Richmond Street
El Segundo, CA 90245
Tel: (310) 414-9400
Fax: (310) 414-9200
PBarbosa@bmhlegal.com
SKunkel@bmhlegal.com

Attorneys for Plaintiffs,
ANGEL CASTELAN and MARVIN HUEZO

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ANGEL CASTELAN and MARVIN
HUEZO, individuals;

Plaintiffs,

vs.

UNIVERSAL STUDIOS, INC., a
Delaware Corporation; UNIVERSAL
STUDIOS L.L.C., a Delaware limited
liability corporation; NBCUNIVERSAL
MEDIA L.L.C., a Delaware limited
liability corporation; and DOES 1
through 10, Inclusive;

Defendants.

CV 12-05481 JFW (APX)
Case No.:

Civil Rights

**COMPLAINT FOR INJUNCTIVE
RELIEF AND DAMAGES FOR
DISABILITY DISCRIMINATION IN
VIOLATION OF TITLE III OF THE
AMERICANS WITH DISABILITIES
ACT AND CALIFORNIA'S CIVIL
RIGHTS STATUTES (Cal. Health & Saf.
Code §19955 *et seq.*; Cal. Civ. Code §51
et seq.; Cal. Civ. Code §54 *et seq.*)**

DEMAND FOR JURY TRIAL

BY FAX

1 Plaintiffs ANGEL CASTELAN and MARVIN HUEZO complain of
2 Defendants UNIVERSAL STUDIOS, INC., UNIVERSAL STUDIOS L.L.C.,
3 NBCUNIVERSAL MEDIA L.L.C., and DOES 1 through 10, Inclusive, and allege as
4 follows:

5 6 **I. INTRODUCTION**

7 1. Universal Studios Hollywood (“Universal Studios”) is a world-famous
8 movie studio and theme park in Los Angeles, California. Known as the
9 “Entertainment Capital of L.A.,” Universal Studios is one of Hollywood’s oldest and
10 most famous studios still used for motion picture filming and production. In 1965,
11 Universal Studios added its first major attraction and began its evolution to its current
12 unique status as both a theme park and a fully functioning movie studio. Today,
13 Universal Studios is one of the world’s largest and most-visited theme parks, offering
14 millions of visitors each year amusement rides; live entertainment; and tours of real,
15 working movie studios and special effects stages.

16 2. Directly adjacent to Universal Studios is the Universal CityWalk
17 (“CityWalk”), a three-block entertainment, dining, and shopping center. The
18 CityWalk boasts some of Los Angeles’ best restaurants, shops, and nightclubs, as
19 well as a movie theatre and live entertainment venues. On information and belief,
20 CityWalk was opened to the public in 1993 and significantly expanded in 2000. On
21 information and belief, Universal Studios and Universal CityWalk are owned,
22 operated and managed by Defendants UNIVERSAL STUDIOS INC., UNIVERSAL
23 STUDIOS LLC and NBCUNIVERSAL MEDIA LLC.

24 3. Universal Studios occupies a sprawling parcel of land nestled in the hills
25 of Los Angeles. It is separated into two areas known as the Upper Lot and the Lower
26 Lot. Each Lot houses multiple rides, shows, and attractions, as well as shops,
27 restaurants, and concession stands. Universal Studios is also home to several state-
28 of-the-art roller coasters and rides. One of the park’s newest and most state-of-the-art

1 roller coasters is known as “The Revenge of the Mummy,” an indoor roller coaster
2 which opened to the public in 2004.

3 4. Despite its stated commitment to providing unique, family-fun
4 experiences to visitors of all ages, Universal Studios and Universal CityWalk were
5 constructed and/or have failed to remove significant physical barriers to their
6 facilities, including parking areas, restrooms, eating areas, and pedestrian paths of
7 travel throughout the theme park and CityWalk, which deny persons with mobility
8 disabilities the full and equal enjoyment of the goods, services, and facilities offered
9 by Defendants to the general public. Additionally, Universal Studios has failed to
10 make reasonable modifications to its policies and procedures to ensure that persons
11 with disabilities are afforded access to its services and amenities – without exclusion
12 or deterrence based on stereotypes of the capabilities of physically disabled persons
13 such as Plaintiffs. Specifically, Defendants are denying persons with amputated
14 limbs access to their major theme park rides. In so doing, Defendants have violated
15 Title III of the Americans with Disabilities Act (“ADA”), 42 U.S.C. § 12182 *et seq.*,
16 and related California laws.

17 5. As a result of Defendants’ discriminatory acts and omissions, Plaintiffs
18 have suffered, and will continue to suffer, damages, and have been, and will continue
19 to be prevented and/or deterred from accessing and using Defendants’ goods,
20 services, and facilities to the same extent as, and in a manner equal to, their able-
21 bodied peers. Through this lawsuit, Plaintiffs seek an injunction requiring
22 Defendants to provide “full and equal” access to their public facilities for disabled
23 persons as required by law and compensation for their injuries as the result of
24 Defendants’ discriminatory conduct and actions.

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3 **II. JURISDICTION AND VENUE**

4 6. This Court has jurisdiction over this action pursuant to 28 U.S.C. §1331
5 for violations of the ADA, 42 U.S.C. §12101 *et seq.* This Court has supplemental
6 jurisdiction over Plaintiffs' state claims, including but not limited to violations of
7 California Health & Safety Code § 19955 *et seq.* the Unruh Civil Rights Act, Cal.
8 Civ. Code § 51 *et seq.*; and the Disabled Persons Act, Cal. Civ. Code §54 *et seq.*

9 7. Venue is proper in this court pursuant to 28 U.S.C. § 1391(b) and is
10 founded on the fact that the real property which is the subject of this action is located
11 in the Central District and that Plaintiffs' causes of action arose in the Central
12 District.

13 **III. PARTIES**

14 8. Plaintiff MARVIN HUEZO ("Plaintiff Huezo") is, and at all times
15 relevant herein was, a qualified individual with a physical "disability" as defined by
16 Department of Justice regulation 28 C.F.R. §35.104 and California Government Code
17 §12926. Both of Plaintiff Huezo's legs were amputated after he was hit by a car
18 while stopping to help a stranded motorist on the freeway. Plaintiff Huezo cannot
19 independently stand or walk without the use of prosthetics legs and/or a wheelchair at
20 all times for mobility. Plaintiff Huezo is unable to safely and independently use
21 public facilities that are not designed, constructed or altered in compliance with
22 applicable accessibility standards. Plaintiff Huezo is, and at all times relevant herein
23 was, a resident of Los Angeles, California.

24 9. Plaintiff ANGEL CASTELAN ("Plaintiff Castelan") is, and at all times
25 relevant herein was, a qualified individual with a physical "disability" as defined
26 under Department of Justice regulations 28 CFR § 36.104 and California Government
27 Code § 12926. Due to an electrical accident suffered as a child, both of Plaintiff
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1 Castelan's forearms were amputated. Despite being a double amputee, Plaintiff
2 Castelan has trained himself to use his stumps to perform daily tasks so that he may
3 live as fully and independently as he can. While Plaintiff has prosthetic arms, he does
4 not use them in his daily life, as he has more function and control in the use of his
5 stumps. Plaintiff is, and at all times relevant hereto was, a resident of Los Angeles,
6 California.

7 10. On information and belief, Defendants UNIVERSAL STUDIOS INC.,
8 UNIVERSAL STUDIOS LLC and NBCUNIVERSAL MEDIA, LLC are the owners,
9 operators and managers of Universal Studios and Universal CityWalk.

10 11. Plaintiffs are informed and believes that each of the Defendants is the
11 agent, ostensible agent, alter ego, master, servant, trustor, trustee, employer,
12 employee, representative, franchiser, franchisee, lessor, lessee, joint venturer, parent,
13 subsidiary, affiliate, related entity, partner, and/or associate, or such similar capacity,
14 of each of the other Defendants, and was at all times acting and performing, or failing
15 to act or perform, within the course and scope of such similar aforementioned
16 capacities, and with the authorization, consent, permission or ratification of each of
17 the other Defendants, and is personally responsible in some manner for the acts and
18 omissions of the other Defendants in proximately causing the violations and damages
19 complained of herein, and have participated, directed, and have ostensibly and/or
20 directly approved or ratified each of the acts or omissions of each of the other
21 Defendants, as herein described. Plaintiffs will seek leave to amend his complaint
22 when the true names, capacities, connections, and responsibilities of Defendants
23 DOES 1 through 10, inclusive are ascertained.

24 **IV. FACTS ON WHICH CLAIMS ARE BASED**

25 12. Plaintiff Castelan is an avid fan of Universal Studios and the CityWalk
26 who has enjoyed the park's rides and attractions and the CityWalk's restaurants and
27 other amenities for many years as an amputee. Plaintiff Castelan has purchased
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1 multiple Universal Studios annual passes as well as “front of the line” passes to better
2 enjoy the amenities and rides. The annual pass allows Plaintiff Castelan unlimited
3 access to the park throughout the year, and the “front of the line pass” allows him to
4 ride the roller coasters and see attractions without waiting in line. Plaintiff Castelan
5 has not purchased an annual pass this year due to his exclusion from some of his
6 favorite rides. Plaintiff Castelan wishes to continue patronizing Universal Studios and
7 the CityWalk, but is being deterred and excluded from doing so because of
8 Defendants’ discriminatory policies, which have deterred him from returning to
9 Universal Studios and the CityWalk, and excluded him from enjoying the rides at the
10 park.

11 13. Plaintiff Castelan has visited Universal Studios and/or the CityWalk
12 many times each year since approximately 2000. Plaintiff routinely visits the park
13 and CityWalk with his girlfriend, whom he met at Universal Studios, and his friends
14 and family. Plaintiff Castelan does not wear his prosthetic arms when visiting
15 Universal Studios, as he uses them primarily for aesthetics, not functionality.
16 Plaintiff Castelan was permitted to participate in all of the theme park’s attractions –
17 including roller coasters – without incident or complaint throughout the majority of
18 his visits to Universal Studios until recently, when Defendants adopted a new
19 discriminatory policy to exclude amputees from their amusement rides.

20 14. In or around June 2004, Universal Studios opened a new indoor roller
21 coaster ride known as The Revenge of the Mummy (“The Mummy”). On
22 information and belief, The Mummy is a state-of-the-art roller coaster which cost
23 Universal Studios approximately \$40 million to build and install. The Mummy is a
24 steel, enclosed roller coaster ride in which passengers sit in a “mine car” and are
25 fastened into the mine car with a heavy metal safety bar across their lap. The entire
26 ride lasts about 2 minutes.

27 15. Plaintiff Castelan greatly enjoys riding The Mummy, as it is one of the
28 only rides at Universal Studios geared to older adults. Since The Mummy opened to

1 the public in 2004, Plaintiff Castelan has ridden the coaster approximately 5 to 6
2 times each time he visits Universal Studios.

3 16. In the past when Plaintiff Castelan rode The Mummy, he would be
4 seated in the mine car and fastened into the seat with the metal safety bar. For six
5 years – from 2004 to 2010 – Plaintiff Castelan was never denied participation on The
6 Mummy ride because he was an amputee. On information and belief, The Mummy
7 ride has not been changed or altered since the last time he was permitted to ride this
8 roller coaster.

9 17. In or around October 2010, Plaintiff visited Universal Studios with his
10 girlfriend and family. They rode multiple attractions before heading to ride The
11 Mummy. Plaintiff and his group were buckled into the mine car, as usual, and waited
12 as ride operators called the control room to obtain clearance for Plaintiff to ride the
13 roller coaster. This time, however, Universal Studios staff refused Plaintiff Castelan
14 permission to ride The Mummy. Ride operators told Plaintiff Castelan that he would
15 not be permitted to ride The Mummy because he did not have arms and hands.
16 Plaintiff Castelan informed Universal Studios staff that he had ridden The Mummy
17 many times before, and that he was never told he needed hands and arms to safely
18 ride the rollercoaster. Nonetheless, Universal Studios staff members refused to
19 permit Plaintiff Castelan to ride The Mummy. Plaintiff was pulled off of the ride
20 with his girlfriend and family members in front of other riders and staff members.
21 Plaintiff was humiliated, embarrassed and confused as to why his disability
22 disqualified him from being able to ride The Mummy as he had hundreds of times in
23 past visits, and felt “handicapped” by the view Defendant’s employees now had of
24 him.

25 18. After being removed from the ride, Plaintiff requested to speak to a
26 supervisor to determine why he was not permitted to ride The Mummy after being
27 permitted to ride The Mummy so many times before. After approximately 20
28 minutes, a Universal Studios supervisor, whose name is not presently known to

1 Plaintiff, informed Plaintiff Castelan that Universal Studios now required individuals
2 riding The Mummy to be able to grab onto the safety bar throughout the course of the
3 ride. Plaintiff pointed out that he had been able to ride The Mummy innumerable
4 times prior without any incidents or complaints. Plaintiff further pointed out that
5 riders are not required to grasp the safety bar during the ride, and that there were no
6 staff members positioned throughout the tracks monitoring who did and did not hold
7 on to the safety bar. Plaintiff was still not permitted to ride The Mummy, and he left
8 Universal Studios with his girlfriend and his family without riding The Mummy.

9 19. Plaintiff Castelan's next visit to Universal Studios was in October 2011
10 with his friend, Plaintiff Marvin Huevo. As a wheelchair user, Plaintiff Huevo
11 encountered numerous physical barriers to accessibility throughout the theme park as
12 well as in the CityWalk, as described below.

13 20. Plaintiffs approached the front of the line to board The Mummy's mine
14 cars, but before Plaintiff Castelan was able to get into the cars, he was stopped by
15 Universal Studios staff and informed that he could not ride the roller coaster because
16 he did not have hands and arms and, therefore, was unable to grab the safety bar.
17 Plaintiff Castelan tried to inform the staff that he had ridden many times in the past
18 without incident, but was still not permitted to ride The Mummy. Universal Studios
19 staff members also told Plaintiff Huevo that he could not ride The Mummy because
20 he did not have legs. Plaintiff Huevo informed staff members that he did not have the
21 same issue that Plaintiff Castelan did – namely, that he was able to grab the metal
22 safety bar during the ride because only his legs were affected by his disability.
23 Nonetheless, Universal Studios employees would not let either Plaintiff ride The
24 Mummy.

25 21. Plaintiffs requested and waited to speak with a supervisor, in hopes that
26 they would be permitted to ride the roller coaster. After a long wait, a supervisor,
27 whose name is not currently known to Plaintiffs, informed Plaintiffs that Universal
28 Studios' "new policy" required all riders to have "at least one arm and one leg" in

1 order to ride The Mummy. Plaintiffs were turned away from the ride and left the
 2 park embarrassed, dejected, and frustrated that they could not ride one of the park's
 3 best rides, after trying to assure Universal Studios staff that riding the roller coaster
 4 would not put them in any risk of self-injury or injury to other riders. Plaintiffs were
 5 summarily turned away from The Mummy based on the assumptions of Universal
 6 Studios staff that Plaintiffs could not safely ride The Mummy. On information and
 7 belief, Defendants have failed to conduct an evaluation to determine the benefits of
 8 imposing a policy that denies access to persons unless they have "at least one arm and
 9 one leg." Plaintiffs allege that Defendants have based their refusal to permit double
 10 amputees to ride their amusement rides based on stereotypes and assumptions about
 11 the safety of disabled individuals to mainstream into public life.

12 22. Plaintiffs allege that Defendants have instituted discriminatory policies
 13 and practices that deny Plaintiffs, and otherwise similarly situated disabled persons,
 14 the full and equal use of their facilities, and have failed to ensure that their policies
 15 and practices do not subject persons with disabilities like Plaintiffs to discrimination
 16 on the basis of speculation, stereotypes, and generalizations about their disability.

17 23. While visiting Universal Studios in October 2011, Plaintiff Huezo, a
 18 wheelchair user, encountered barriers to accessibility that have denied him the full
 19 and equal use and enjoyment of Defendants' goods and services, including, but not
 20 limited to, the following:

21 **1. Universal Studios Barriers**

22 **A. *Parking***

- 23 1) Multiple accessible parking spaces are provided at the outdoor
 24 parking lot near the main entrance to Universal Studios; however, all
 25 parking spaces are located on a surface whose cross slope exceeds
 26 2%, posing a risk of injury to persons using a wheelchair, walker or
 27 prosthetic legs; and
- 28 2) The accessible parking spaces are missing the required "No Parking"

1 wordage in the access aisle; are missing fine-related signage; and the
2 signage uses the term “handicapped,” in violation of the California
3 Vehicle Code, failing to properly reserve accessible parking spaces
4 for qualified disabled persons.

5 ***B. Ticket Booths***

- 6 1) The ticket booth windows are located more than 34 inches above the
7 floor. There are ticket booths with a lowered section; however, the
8 lowered section’s height also exceeds the maximum permitted of 34
9 inches above the floor, rendering them inaccessible to Plaintiff Huevo
10 and other wheelchair users.

11 ***C. Guest Services***

- 12 1) The guest services will-call windows are located more than 34 inches
13 above the floor, rendering them inaccessible to Plaintiff Huevo and
14 other wheelchair users; and
15 2) The interior service counter, where park visitors may obtain
16 information regarding accessible rides and areas, is more than 34
17 inches high, with no lowered section, rendering it inaccessible to
18 Plaintiff Huevo and other wheelchair users.

19 ***D. Entry/Exit Gates***

- 20 1) The gates permitting entry and exit to the park do not have kick plates
21 on the push side of the gates, posing a risk of injury to persons in
22 wheelchairs, who could get caught on the door.

23 ***E. Stroller and Wheelchair Rental***

- 24 1) The service counter at the stroller and wheelchair rental area is
25 mounted more than 34 inches from the floor, rendering it inaccessible
26 to persons in wheelchairs.

27 ***F. Hollywood Photoland***

- 28 1) The path of travel near Hollywood Photoland has a drain at the base

1 of the ramp with cross slopes greater than 2%, posing a risk of injury
2 to visitors with mobility impairments.

3 ***G. Hollywood Grill***

- 4 1) No accessible tables are provided in the seating and dining area,
5 rendering this entire area inaccessible to wheelchair users.

6 ***H. House of Horrors***

- 7 1) The path of travel to the entry ramp to the House of Horrors attraction
8 crosses a grate which has vertical changes in level exceeding ½ inch,
9 posing a risk of injury to persons with mobility impairments; and
10 2) The entry ramp lacks wheel guides, posing a risk of injury to
11 wheelchair users.

12 ***I. Blues Brothers Attraction***

- 13 1) The designated accessible seating area at the Blues Brothers
14 attraction does not provide adjacent companion seating; and
15 2) The tree grate near the attraction has vertical changes in level
16 exceeding ½ inch, posing a risk of injury to visitors with mobility
17 impairments.

18 ***J. Cartooniversal Shop and Candy Shop***

- 19 1) The walkway between the Cartooniversal shop and the Candy shop
20 has a cross slope exceeding 2% between the buildings, posing a risk
21 of harm to visitors with mobility impairments.

22 ***K. Mario's Meat and Poultry***

- 23 1) The faux cobblestone near Mario's Meat and Poultry is not flat or
24 stable, producing uncomfortable jarring and significant vibration
25 when wheeled over in a wheelchair due to changes in vertical level
26 greater than ¼ inch.

27 ***L. All Star Shoot Out***

- 28 1) The drain at the queue area to the All Star Shoot Out has a cross slope

1 exceeding 2%, posing a risk of injury to persons with mobility
2 disabilities.

3 ***M. Flintstones Grill***

- 4 1) The service counter and ordering window is mounted more than 34
5 inches from the floor, rendering it inaccessible to persons in
6 wheelchairs; and
7 2) The tables provided in the dining area are not accessible to
8 wheelchair users, rendering this entire area inaccessible to persons in
9 wheelchairs.

10 ***N. Cantina***

- 11 1) The tables provided in the dining area are not accessible to
12 wheelchair users, rendering this entire area inaccessible to persons in
13 wheelchairs.

14 ***O. Cinnabon***

- 15 1) The tables provided in the dining area are not accessible to
16 wheelchair users, rendering this entire area inaccessible to persons in
17 wheelchairs.

18 ***P. Path of travel near Shuttle Elevator to Lower Lot***

- 19 1) The grate in the path of travel near the shuttle elevator has a cross
20 slope exceeding 2%, posing a risk of injury to visitors with mobility
21 impairments.

22 ***Q. Shuttle***

- 23 1) The wheelchair ramp at the Lower Lot shuttle stop lacks wheel guide
24 rails, posing a risk of injury to wheelchair users.

25 ***R. Binoculars***

- 26 1) The binoculars on the Upper Lot which are provided for visitors at
27 various locations are not accessible to wheelchair users because they
28 are mounted too high for wheelchair users to reach.

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2 ***S. The Mummy - Exterior***

- 3 1) The curb ramp providing access to this attraction does not have a
4 flush transition at the bottom of the ramp, posing a risk of injury to
5 wheelchair users;
6 2) The ramp in the path of travel to the ride has a handrail only on one
7 side;
8 3) The entry gates to the ride lack kick plates or solid bottoms, posing a
9 risk of injury to wheelchair users;
10 4) The slope of the path of travel along the queue line exceeds 5%, and
11 no handrails are provided; and
12 5) The exit gates lack kick plates or solid bottoms, posing a risk of
13 injury to wheelchair users.

14 ***T. Jurassic Café***

- 15 1) There are no accessible tables provided in the Jurassic Café dining
16 area, rendering this entire area inaccessible to wheelchair users.

17 ***U. Cove Café***

- 18 1) There are no accessible tables provided in the Jurassic Café dining
19 area, rendering this entire area inaccessible to wheelchair users; and
20 2) The ramp between the upper and lower seating areas lacks handrails,
21 posing a risk of harm to visitors with mobility disabilities.

22 ***V. Men's Restroom near Simpsons Attraction***

- 23 1) The hot water pipes at the lavatories are not insulated, posing a risk
24 of injury to wheelchair users; and
25 2) The door to the accessible stall does not provide adequate strike-side
26 clearance at the pull side of the door, rendering it difficult to use by
27 wheelchair users.

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2 ***W. Studio Tour***

- 3 1) The drain in the path of travel near the elevator to the Lower Lot has
4 a cross slope exceeding 2%.

5 ***X. Men's Restroom Near Studio Tour***

- 6 1) The automatic hand dryer is mounted too high for use by persons in
7 wheelchairs.

8 ***Y. Palace Theatre***

- 9 1) The storm drain in the path of travel near the Palace Theatre has grate
10 openings more than ½ inch wide, posing a risk of injury to persons
11 with mobility disabilities.

12 ***Z. Mel's Diner, International Foods, and Coke Soak***

- 13 1) No wheelchair accessible seating is provided at these dining areas,
14 rendering the entire area inaccessible to wheelchair users.

15 ***AA. Entrance to Gibson Amphitheatre***

- 16 1) On information and belief, the entrance to the Gibson Amphitheatre
17 from Universal Studios has an excessively steep slope, and no
18 handrails are provided, posing a risk of injury to visitors with
19 mobility disabilities;
20 2) There is no signage at the Universal Studios entrance directing
21 visitors to the location of an accessible entrance; and
22 3) The ticket window in the CityWalk area is mounted more than 34
23 inches from the floor, rendering it inaccessible to persons in
24 wheelchairs.

25 **2. CityWalk Barriers**

26 24. While visiting CityWalk during his visit to Universal Studios in October
27 2011, Plaintiff Huezco encountered physical barriers to accessibility that have denied
28 him the full and equal use and enjoyment of the CityWalk's goods and services,

1 including, but not limited to, the following:

2 **A. *Paths of Travel***

- 3 1) The path of travel along the entire length of the walkway throughout
4 the CityWalk has cross slopes exceeding 2% due to improperly
5 configured storm drains, posing a risk of harm to persons with
6 mobility disabilities; and
7 2) The inclined walkway near the Dodger's Clubhouse has a running
8 slope exceeding 5% without handrails, rendering it inaccessible and
9 dangerous to use by persons with mobility disabilities.

10 **B. *Men's Restrooms near Fossil Store***

- 11 1) The door to the men's restrooms near the Fossil Store in the
12 CityWalk lacks accessibility signage;
13 2) There is no pull handle on the exterior side of the accessible stall
14 door;
15 3) The toilet seat cover dispenser in the accessible stall is mounted so
16 as to obstruct the grab bar; and
17 4) The paper towel dispensers are mounted too high to be accessible by
18 persons in wheelchairs.

19 **C. *Panda Inn Restaurant***

- 20 1) The ramp to the exterior seating area has a running slope exceeding
21 5% and no handrails are provided, posing a risk of injury to persons
22 with mobility disabilities.

23 **D. *Curious George Parking Area***

- 24 1) The passenger loading area has a pothole in the path of travel, posing
25 a risk of injury to people with mobility disabilities; and
26 2) The accessible parking spaces in row P1 lacks appropriate fine-
27 related signage.

28 **E. *Men's Restrooms near Curious George Parking***

- 1) The required accessibility-related signage is lacking and improperly mounted; and
- 2) No insulation is provided under the lavatories, posing a risk of injury to persons with mobility disabilities.

F. Drinking Fountain near Curious George Parking

- 1) The drinking fountain is not located in an alcove and lacks wing walls on both sides, rendering it inaccessible to persons in wheelchairs.

G. Jurassic Parking Area

- 1) The ramp to the Jurassic parking area lacks wheel guides, posing a risk of injury to wheelchair users; and
- 2) The parking signs contain improper language as prohibited by the California Vehicle Code.

H. Accessible Parking Area 1K

- 1) One of the designated accessible parking spaces has the access aisle improperly installed on the driver's side of the space, rendering it difficult to use by disabled persons using a passenger side lift. and
- 2) The parking spaces lack required accessibility-related signage.

I. Accessible Parking Area 1L

- 1) The parking spaces lack required accessibility-related signage.

J. Men's Restrooms near Jurassic Parking Area

- 1) Improper and/or inadequate signage is provided at the restrooms;
- 2) The lavatory pipes are not insulated, posing a risk of injury to wheelchair users;
- 3) No pull handles are provided at the accessible toilet stall door;
- 4) The toilet paper dispenser is mounted too far from the rear wall, rendering it difficult or impossible to use by persons with mobility disabilities; and

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3 **VI. FIRST CAUSE OF ACTION**

4 **VIOLATION OF THE AMERICANS WITH DISABILITIES ACT – TITLE III**

5 **42 USC §12181 *et seq***

6 27. Plaintiffs replead and incorporate by reference, as if fully set forth again

7 herein, the allegations contained in Paragraphs 1 through 26 of this Complaint.

8 28. In 1990 the United States Congress found that laws were needed to more

9 fully protect “some 43 million Americans with one or more physical or mental

10 disabilities; that historically society has tended to isolate and segregate individuals

11 with disabilities”, and that “such forms of discrimination against individuals with

12 disabilities continue to be a serious and pervasive social problem; that the nation’s

13 proper goals regarding individuals with disabilities are to assure equality of

14 opportunity, full participation, independent living and economic self-sufficiency for

15 such individuals; and that the continuing existence of unfair and unnecessary

16 discrimination and prejudice denies people with disabilities the opportunity to

17 compete on an equal basis and to pursue those opportunities for which our free

18 society is justifiably famous.” 42 U.S.C. § 12101.

19 29. Congress stated as its purpose in passing the Americans with Disabilities

20 Act, 42 U.S.C. §12101(b):

21 It is the purpose of this act:

- 22 (1) to provide a clear and comprehensive national mandate for the
- 23 elimination of discrimination against individuals with
- 24 disabilities;
- 25 (2) to provide clear, strong, consistent, enforceable standards
- 26 addressing discrimination against individuals with disabilities;
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(3) to ensure that the Federal government plays a central role in enforcing the standards established in this act on behalf of individuals with disabilities; and

(4) to invoke the sweep of Congressional authority, including the power to enforce the 14th Amendment and to regulate commerce, in order to address the major areas of discrimination faced day to day by people with disabilities.

30. As part of the ADA, Congress passed “Title III - Public Accommodations and Services Operated by Private Entities.” 42 U.S.C. §12181 *et seq.* Among “private entities” which are considered “public accommodations” for purposes of this title are hotels (42 U.S.C. §12181(7)(A)).

31. Title III of the ADA provides that “No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation.” 42 U.S.C. § 12182(a).

32. Defendants have discriminated against Plaintiffs on the basis of their disability in violation of Title III of the ADA and its implementing regulations. Defendants’ discriminatory conduct includes, but is not limited to:

- A. Discriminatory exclusion and/or denial of goods, services, facilities, privileges, advantages, accommodations, and/or opportunities;
- B. Provision of goods, services, facilities, privileges, advantages, and/or accommodations that are not equal to those afforded non-disabled individuals;
- C. Failing to design and/or construct facilities built for first occupancy after January 26, 1993 so that they are readily accessible to and usable by individuals with disabilities in accordance with the ADA Standards for Accessible Design (ADA Standards), 28 C.F.R. pt. 36, app. A. 42 U.S.C.

§ 12183(a)(1); 28 C.F.R. §§ 36.401, 36.406(a);

D. Since January 26, 1992, failing to make alterations in such a manner that, to the maximum extent feasible, the altered portions of the facilities are readily accessible to and usable by individuals with disabilities in accordance with the ADA Standards. 42 U.S.C. § 12183(a)(2); 28 C.F.R. §§ 36.402, 36.403, 36.406(a);

E. Since July 26, 1991, failing to comply with the ongoing obligation to remove barriers, and/or provide path of travel upgrades to remove barriers at facilities where such removal is “readily achievable.” 42 U.S.C. § 12182(a)(2)(A)(iv); 28 C.F.R. § 36.304.

F. Imposing eligibility criteria that screen out individuals with disabilities from the full and equal enjoyment of Defendants’ goods, services, facilities, privileges, advantages or accommodations and imposing safety requirements that are not based on actual risks but rather on speculation, stereotypes, or generalizations about individuals with disabilities. 28 C.F.R. § 36.301(a) – (b); and

G. Failing to make individualized assessments, based on reasonable judgments and objective evidence, to determine whether amputees and other individuals with disabilities pose a direct threat to the health and safety of others. 28 C.F.R. § 36.208.

33. On information and belief, Universal Studios, the CityWalk, and their related facilities underwent construction and/or alterations after January 26, 1992 that triggered access requirements under the ADA – Title III.

34. Pursuant to the remedies, procedures, and rights set forth in 42 U.S.C. § 12188 and 42 U.S.C. § 12205, Plaintiffs pray for judgment as set forth below.

VII. SECOND CAUSE OF ACTION

Violation of Cal. Health & Saf. Code § 19955 *et seq.*

1 35. Plaintiffs replead and incorporate by reference, as if fully set forth again
2 herein, the allegations contained in Paragraphs 1 through 34 of this Complaint, and
3 incorporate them herein as if separately replead.

4 36. California Health & Safety Code §§ 19955 et seq. was enacted “[t]o
5 ensure that public accommodations or facilities constructed in this state with private
6 funds adhere to the provisions of Chapter 7 (commencing with §4450) of Division 5
7 of Title 1 of the Government Code.” Such public accommodations are defined as any
8 “building, structure, facility, complex, or improved area that is used by the general
9 public...,” and includes restaurants and related sanitary facilities, shopping centers
10 and related sanitary facilities, and curbs and sidewalks intended for public use.
11 California Health & Safety Code § 19955.

12 37. On information and belief, Universal Studios, the CityWalk and their
13 related facilities underwent construction and/or alterations after January 1, 1982 that
14 triggered access requirements under Title 24-2. Pursuant to Title 24-2, compliance
15 with disabled access building standards and specifications is required whenever
16 public accommodations, such as Defendants’ facilities, undergo an “alteration,
17 structural repair or addition.”

18 38. Pursuant to the remedies, procedures, and rights set forth in Health &
19 Safety Code § 19953, Plaintiffs pray for judgment as set forth below.

20 **VIII. THIRD CAUSE OF ACTION**

21 **Violation of Unruh Civil Rights Act, Cal. Civ. Code § 51 et seq.**

22 39. Plaintiffs reallege and incorporate by reference the allegations contained
23 in Paragraphs 1 through 38 of this Complaint as if fully set forth herein.

24 40. Universal Studios and the CityWalk are business establishments and, as
25 such, must comply with the provisions of the Unruh Act, Cal. Civ. Code, § 51, et seq.

26 41. The Unruh Act guarantees, inter alia, that persons with disabilities are
27 entitled to full and equal accommodations, advantages, facilities, privileges, or
28

1 services in all business establishments of every kind whatsoever within the
2 jurisdiction of the State of California. Cal. Civ. Code, § 51(b).

3 42. The Unruh Act also provides that a violation of the ADA, or of
4 California state accessibility regulations, is a violation of the Unruh Act. Cal. Civ.
5 Code, § 51(f).

6 43. Defendants have violated the Unruh Act by, inter alia, denying, or aiding
7 or inciting the denial of, Plaintiffs' rights to full and equal use of the
8 accommodations, advantages, facilities, privileges, or services offered at Universal
9 Studios and/or the CityWalk.

10 44. Defendants have also violated the Unruh Act by denying, or aiding or
11 inciting the denial of, Plaintiffs' rights to equal access arising from the provisions of
12 the California state accessibility regulations and the ADA.

13 45. Pursuant to the remedies, procedures, and rights set forth in Cal. Civ.
14 Code § 52, Plaintiffs pray for judgment as set forth below.

15 16 **IX. FOURTH CAUSE OF ACTION**

17 **Violation of Cal. Disabled Persons Act, Cal. Civ. Code § 54 *et seq.***

18 46. Plaintiffs reallege and incorporate by reference the allegations contained
19 in Paragraphs 1 through 45 of this Complaint as if fully set forth herein.

20 47. Universal Studios, Universal CityWalk and their facilities are places of
21 public accommodation and/or places to which the general public is invited and, as
22 such, they are obligated to comply with the provisions of the California Disabled
23 Persons Act ("CDPA"), Cal. Civ. Code, § 54, *et seq.*

24 48. The CDPA guarantees, *inter alia*, that persons with disabilities have the
25 same right as the general public to the full and free use of the streets, highways,
26 sidewalks, walkways, public buildings, public facilities, and other public places. Cal.
27 Civ. Code § 54.
28

1 pursuant to the Unruh Act and/or, in the alternative that this Court award damages
2 pursuant to the California Disabled Persons Act in an amount within the jurisdiction
3 of this court, and that these damages be trebled according to statute;

4 3. That this Court award special and consequential damages according to
5 proof;

6 4. That this Court award attorneys' fees, litigation expenses and costs of
7 suit, pursuant to Title III of the ADA, 42 U.S.C. § 12205; California Civil Code §§
8 52, and 55; California Health & Safety Code § 19953; and California Code of Civil
9 Procedure § 1021.5;

10 5. Such other and further relief as the Court may deem just and proper.
11
12

13 Dated: June 22, 2012

BARBOSA, METZ & HARRISON, LLP

14
15 By:



PATRICIA BARBOSA

SARA P. KUNKEL

Attorneys for Plaintiffs, ANGEL CASTELAN
and MARVIN HUEZO
16
17
18
19
20

21 **DEMAND FOR JURY TRIAL**

22 Plaintiffs hereby demand a jury for all claims for which a jury is
23 permitted.
24

25 Dated: June 22, 2012

BARBOSA, METZ & HARRISON, LLP

26
27 By:



PATRICIA BARBOSA
28

SARA P. KUNKEL
Attorneys for Plaintiffs, ANGEL CASTELAN
and MARVIN HUEZO

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PATRICIA BARBOSA (SBN 125865)
SARA P. KUNKEL (SBN 260240)
BARBOSA, METZ & HARRISON, LLP
139 Richmond Street
El Segundo, CA 90245
Tel: (310) 414-9400; Fax: (310) 414-9200

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ANGEL CASTELAN and MARVIN HUEZO,
individuals;

PLAINTIFF(S)

v.

UNIVERSAL STUDIOS, INC., a Delaware
Corporation; (See Attachment for Additional Parties)

DEFENDANT(S).

CASE NUMBER

CV12-05481 JFW (AGR-x)

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Patricia Barbosa and Sara P. Kunkel, whose address is 139 Richmond Street, El Segundo, CA 90245. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JUN 22 2012

Dated: _____

Clerk, U.S. District Court

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

ATTACHMENT

Defendants Continued:

UNIVERSAL STUDIOS L.L.C., a Delaware limited liability corporation;
NBCUNIVERSAL MEDIA L.L.C., a Delaware limited liability corporation; and
DOES 1 through 10, Inclusive;

PATRICIA BARBOSA (SBN 125865)
 SARA P. KUNKEL (SBN 260240)
 BARBOSA, METZ & HARRISON, LLP
 139 Richmond Street
 El Segundo, CA 90245
 Tel: (310) 414-9400; Fax: (310) 414-9200

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

ANGEL CASTELAN and MARVIN HUEZO,
 individuals;

PLAINTIFF(S)

v.

UNIVERSAL STUDIOS, INC., a Delaware
 Corporation; (See Attachment for Additional Parties)

DEFENDANT(S).

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CV12-05481 JFW (AGR)

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Patricia Barbosa and Sara P. Kunkel, whose address is 139 Richmond Street, El Segundo, CA 90245. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

JUN 22 2012

Clerk, U.S. District Court

JULIE PRADO

Dated: _____

By: _____

Deputy Clerk 1154

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

ATTACHMENT

Defendants Continued:

UNIVERSAL STUDIOS L.L.C., a Delaware limited liability corporation;
NBCUNIVERSAL MEDIA L.L.C., a Delaware limited liability corporation; and
DOES 1 through 10, Inclusive;

BY FAX

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT CALIFORNIA
CIVIL COVER SHEET**I (a) PLAINTIFFS** (Check box if you are representing yourself ☐
ANGEL CASTELAN and MARVIN HUEZO, individuals;**DEFENDANTS**

UNIVERSAL STUDIOS, INC., a Delaware Corporation; UNIVERSAL STUDIOS L.L.C., a Delaware limited liability corporation; NBCUNIVERSAL MEDIA L.L.C., a Delaware limited liability corporation; and DOES 1 through 10

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)PATRICIA BARBOSA (SBN 125865); SARA P. KUNKEL (SBN 260240)
BARBOSA, METZ & HARRISON, LLP; 139 Richmond Street, El Segundo,
CA 90245. Tel: 310-414-9400; Fax: 310-414-9200

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant.)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN (Place an X in one box only.)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)**CLASS ACTION** under F.R.C.P. 23: ☐ Yes ☒ No**MONEY DEMANDED IN COMPLAINT:** \$ _____**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
Denial of civil rights of disabled persons in violation of Title III of The ADA AND California Civil Rights Statutes (42 U.S.C. § 12182 et seq.)**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS PERSONAL INJURY	TORTS PERSONAL PROPERTY	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 530 General Habeas Corpus	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE / PENALTY	PROPERTY RIGHTS
<input type="checkbox"/> 490 Cable/Sat-TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 630 Liquor Laws	SOCIAL SECURITY
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 891 Agricultural Act	REAL PROPERTY	IMMIGRATION	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 462 Naturalization Application	<input checked="" type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 465 Other Immigration Actions			<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land				FEDERAL TAX SUITS
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV12-05481

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**VIII(a). IDENTICAL CASES:** Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
- ☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County as to all named Plaintiffs	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County as to all named Defendants	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.**Note: In land condemnation cases, use the location of the tract of land involved.**

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

*** Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties****Note:** In land condemnation cases, use the location of the tract of land involved _____X. SIGNATURE OF ATTORNEY (OR PRO PER): P. Barbosa Date June 22, 2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))